



U.S. Department of Justice

United States Attorney  
Southern District of New York

---

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

January 11, 2021

**BY ECF**

The Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re:   *United States v. Michael Avenatti*, 19 Cr. 374 (JMF)**

Dear Judge Furman:

The Government respectfully writes in response to the Court's order directing the Government to provide the defense with a copy of its *ex parte* motion, and permitting the Government to seek the Court's leave for any redactions. The Government has provided the defense with a redacted version of its letter, along with Exhibits B and C to its letter.

The Government seeks the Court's permission to redact its letter, as well as Exhibit A in full, until the Court resolves the motion. The Government's motion seeks authorization to withhold certain medical records regarding an anticipated witness, and it attaches the specific medical records at issue as Exhibit A. Providing those records to the defense while the motion is pending would moot the motion before the Court has an opportunity to resolve it. The Government's proposed redactions to its letter—which the Government will submit to the Court by email—are narrowly tailored to capture only medical information of a third party contained in Exhibit A, and which is at issue in the motion. *Cf., e.g., United States v. Amodeo*, 71 F.3d 1044, 1050 (2d Cir. 1995) (“The privacy interests of innocent third parties should weigh heavily in a court's balancing equation.” (cleaned up)).

Honorable Jesse M. Furman  
United States District Judge  
January 11, 2022  
Page 2

In the event that the Court grants the Government's alternative relief and authorizes the Government to disclose the medical records, the Government proposes to provide the defense with an unredacted copy of the motion at that time.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

By: /s/  
Matthew D. Podolsky  
Andrew A. Rohrbach  
Robert B. Sobelman  
Assistant United States Attorneys  
(212) 637-1947/2345/2616

cc: Defense counsel (by ECF)  
Thomas Ambrosio, Esq. (by email) (counsel for Judy Regnier)